

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Attention: Application Branch

LOCARNINI et al

Atty. Dkt. 2551-28

Serial No. 09/306,420

Filed: May 6, 1999

Date: May 19, 1999

For: VIRAL VARIANTS AND METHODS FOR DETECTING
SAMEAssistant Commissioner for Patents
Washington, D.C. 20231The attached completes filing of the above-identified patent application:☒ Signed Rule 63 Declaration alone OR☐ Signed Declaration plus attached copy of originally filed specification/drawings.☐ NOTICE TO FILE MISSING PARTS OF APPLICATION FILING DATE GRANTED form.☐ Record and return the attached assignment.☐ Priority is hereby claimed per Rule 55 & 35 USC119 based on prior foreign application(s) Nos.:

Application Nos.

Country

Filing Date

PO 3519

Australia

8 November 1996

PCT/AU97/00520

PCT

15 August 1997

respectively.

☐ This application is based on the following prior provisional application(s):

Application No.

Filing Date

respectively and priority is hereby claimed therefrom.

Certified copy(ies) of foreign application(s): ☐ attached; ☐ already filed on _____.

in U.S. Application Serial No. _____, filed on _____.

☒ The undersigned verifies that the above-identified application is identical to: PCT/AU97/00520 filed
15 August 1997, as amended on May 6, 1999.☐ Verified Statement attached establishing "small entity" status (Rules 9 & 27)☒ Also attached: PRELIMINARY AMENDMENT**Fees are attached as calculated below:**

Basic filing fee				\$	760.00
Total Effective claims	32	- 20 =	12	x \$	18.00
				\$	216.00
Independent claims	12	- 3 =	9	x \$	78.00
				\$	702.00
If any proper multiple dependent claims now added for first time, add \$260.00 (ignore improper)				\$	260.00
				\$	1938.00
				FILING FEE	
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$380.00/2 months; \$870.00/3 months; \$1,360.00/4 months)				\$	0.00
Surcharge (\$130.00) if Declaration or filing fee first now submitted				\$	130.00
				FIRST SUBTOTAL	2068.00
If "small entity," enter half (1/2) of subtotal and subtract				-\$	0.00
				SECOND SUBTOTAL	2068.00
Assignment Recording Fee (\$40.00)				\$	0.00
				TOTAL FEE ENCLOSED	2068.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYTE P.C.

By Atty: B.J. Sadoff, Reg. No. 36,663

Signature: _____

COPY

Serial No.: 09/306,420

Atty: BJS

Applicant: **LOCARNINI et al**

Date: 5/19/99

Client/Matter: 2551-28

Title: **VIRAL VARIANTS AND METHODS FOR
DETECTING SAME**

Amendment

Pages Specification, Claims & Abstract

Claims

Sheets of Drawings

X Declaration (2 Pages)

Assignment (Pages) Including Cover

Priority Document(s)

\$2068 Fee (Check) Basic filing fee; add'l claims fee;
late Declaration filing fee; multiple dependent claims fee

Other: **PRELIMINARY SUBMISSION
COMPUTER READABLE COPY OF SEQUENCE
LISTING**



COPY

**RULE 93 (37 C.F.R. 1.93)
DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

As a below named inventor, I am the original, first and sole subject matter which is claimed

I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the invention for which a patent is sought on the invention entitled:

VIRAL VARIANTS AND METHODS FOR DETECTING SAME

the specification of which (only if applicable box(es)):
☐ is attached hereto
☐ was filed on
☒ was filed as PCT International application No. PCT/AU87/00620 on 18 August 1987 and (if applicable to U.S. or PCT application) was amended on

as U.S. Application Serial No. (Atty Dkt. No. 2551-28)
International application No. PCT/AU87/00620 on 18 August 1987
T application) was amended on

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above 37 C.F.R. 1.86. I hereby claim below and have also identified priority is claimed or, if no prior Priority Foreign Application(s):
Application Number
PO 3819

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed, before the filing date of this application:

Country
AU

Day/Month/Year Filed
06 November 1999

I hereby claim the benefit under Application Number

35 U.S.C. §119(e) of any United States provisional application(s) listed below.
Date/Month/Year Filed

I hereby claim the benefit under subject matter of each of the c U.S.C. 112. I acknowledge the applications and the national s

35 U.S.C. 120/365 of all prior United States and PCT International applications listed above or below and, insofar as the time of this application is not disclosed in such prior applications in the manner provided by the first paragraph of 35 duty to disclose material information as defined in 37 C.F.R. 1.86 which occurred between the filing date of the prior PCT International filing date of this application:

Prior U.S./PCT Application(s) Application Serial No.
PCT/AU87/00620

Day/Month/Year Filed
18 August 1987

Status: patented
pending, abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. And I hereby appoint NIXON & VANDERHYE P.C., 1109 North Glebe Rd., 5th Floor, Arlington, VA 22201-4714, telephone number (703) 818-4000 (to whom all communications are to be directed), and the following attorneys thereof (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent: Arthur R. Crawford, 25827; Larry S. Nixon, 25840; Robert A. Vanderhye, 27078; James T. Hoerner, 30184; Robert W. Faria, 31362; Spooner, 27393; Leonard C. M. Thomas E. Byrne, 32205; Man B. J. Sadoff, 38683; James O.

statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. And I hereby appoint NIXON & VANDERHYE P.C., 1109 North Glebe Rd., 5th Floor, Arlington, VA 22201-4714, telephone number (703) 818-4000 (to whom all communications are to be directed), and the following attorneys thereof (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent: Arthur R. Crawford, 25827; Larry S. Nixon, 25840; Robert A. Vanderhye, 27078; James T. Hoerner, 30184; Robert W. Faria, 31362; Spooner, 27393; Leonard C. M. Thomas E. Byrne, 32205; Man B. J. Sadoff, 38683; James O. Arquist, 34778; Updegraff, 37234.

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RULE 63 (37 C.F.R. 1.63)
 DECLARATION AND POWER OF ATTORNEY
 FOR PATENT APPLICATION

Nixon & Vanderhye P.C. (12/95)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

4. Inventor's Signature: _____
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U.S. National Phase of PCT International application No. PCT/AU97/00629

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TOTAL P.06